

PATENT
Docket No. GC774-2
SN# 10/660,123

- Urgent
- Confidential
- Action Required
- Reply Requested
- For Your Info.

FAX COVER SHEET

TO: Art Unit 1645

LOCATION: USPTO

Fax No.: (703) 872-9306 (Central Facsimile No.)

RECEIVED
CENTRAL FAX CENTER

JAN 14 2005

FROM: Carol See for Victoria L. Boyd

LOCATION: GENENCOR INTERNATIONAL, INC.

Legal Department
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Fax: 650-845-6504

DATE: January 14, 2005

NUMBER OF PAGES TO FOLLOW: 4 **SENT BY:** cas

Re: Serial No. 10/660,123, Attorney Docket No. GC774-2

Attachments: Transmittal (1 page) in duplicate, Response to Restriction Requirement (2 pages).

The original of this facsimile will be sent to you via:

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I hereby certify that this correspondence is being sent by facsimile transmission in accordance with § 1.6(d) addressed to, Art Unit 1645, Central Facsimile No. (703) 872-9306, the Commissioner for Patents, Alexandria, VA 22313-1450 on the date shown below.

Date: January 14, 2005

By: Carol A. See
Carol A. See

PATENT
Docket No. GC 774-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---------------|--------------------|-----------------------|--------------------|
| Appl. No.: | 10/660,123 | Confirmation No. 6906 | RECEIVED |
| Applicant: | England et. al. | | CENTRAL FAX CENTER |
| Filed: | September 10, 2003 | | JAN 14 2005 |
| Art Unit: | 1645 | | |
| Examiner: | Zeman, Robert A. | | |
| Docket No.: | GC774-2 | | |
| Customer No.: | 5100 | | |

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated December 17, 2004, enclosed please find the following document: Response to Restriction Requirement.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 07-1048 (Docket No. GC774-2). A duplicate of this paper is enclosed.

Respectfully submitted,

Victoria L. Boyd
Victoria L. Boyd
Registration No. 43,510

Date: January 14, 2005

Genencor International, Inc.
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GC774-2 RR

I hereby certify that this correspondence is being sent by facsimile transmission in accordance with § 1.6(d) addressed to, Art Unit 1645, Central Facsimile No. (703) 872-9306, the Commissioner for Patents, Alexandria, VA 22313-1450 on the date shown below.

Date: January 14, 2005

By: Carol A. See
Carol A. See

PATENT
Docket No. GC 774-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/660,123 Confirmation No. 6906

Applicant: England et. al.
Filed: September 10, 2003
Art Unit: 1645
Examiner: Zeman, Robert A.
Docket No.: GC774-2
Customer No.: 5100

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

This communication is in response to the Restriction Requirement mailed December 17, 2004 in the above-identified patent application where the Examiner has required restriction among the following groups:

Group I, Claims 1 through 10, drawn to methods of producing an inducing feed composition;

Group II, Claims 11-14, drawn to inducing feed compositions; and

Group III, Claims 15-33, drawn to methods of producing protein utilizing a host cell and inducing feed compositions.

Applicants hereby elect, with traverse, the invention in Group III, 15-33, drawn to methods of producing protein utilizing a host cell and inducing feed compositions.

Applicants traverse this restriction requirement and believe that a search and examination of the entire application can be made without serious burden to the Examiner, see MPEP sections 803 and 808. The unifying feature that provides the

GC774-2 RR

U.S. Serial No. 10/660,123
Amdt. dated January 14, 2005
Reply to Office action of December 17, 2004

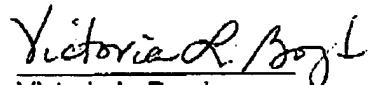
Page 2

basis for the search is the inducing feed. The Examiner asserts that the method to produce the inducing feed could be used to produce fermentation products. It is unclear to Applicants to what the Examiner is referring. However, Applicants note that a concentrated glucose solution is treated enzymatically to produce the inducing feed that is added to a cell culture to induce gene expression. Thus, Applicants believe that the restriction is improper and should be withdrawn.

Applicants reserve the right to file subsequent applications claiming the non-elected subject matter and do not waive any of their rights or abandon any non-elected subject matter. Applicants have fully and completely responded to the Office Action and have made the required election. This application is now in order for early action.

Respectfully submitted,

Date: January 14, 2005


Victoria L. Boyd
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